

Sixth Appellate District

San Jose, California

MONDAY, SEPTEMBER 8, 1997

H015188 PEOPLE v. SALDIVAR, et al.

(Filed order modifying opinion.) This modification does not affect the judgment. (not published)

(Wunderlich, Acting P.J.; and Mihara, J.)

Filed September 8, 1997

H015582 DFCS v. PATRICIA A.; IN RE PATRICK A., A MINOR

The juvenile court's orders are affirmed. (not published)

(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)

Filed September 8, 1997

H013802 MANUKYAN v. SHOWERMAN'S DISTRIBUTING CO., INC.

The judgment is affirmed. (not published)

(Cottle, P.J.; We concur: Premo, J., Bamattre-Manoukian, J.)

Filed September 8, 1997

H015723 PEOPLE v. LEWIS

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)

Filed September 8, 1997

H015290 CITY OF SANTA CRUZ, et al. v. PACIFIC GAS & ELECTRIC CO.

H015447 CITY OF SANTA CRUZ, et al. v. PACIFIC GAS & ELECTRIC CO.

The judgments are affirmed. The parties shall bear their own costs on appeal. (not published)

(Elia, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)

Filed September 8, 1997

H016220 PEOPLE v. BISKUP

The judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed September 8, 1997

H016254 IN RE JASON S., A MINOR

The judgment of wardship is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)

Filed September 8, 1997

H016135 SALINAS ADULT SCHOOL TEACHERS ASSOCIATION, et al. v.

SALINAS UNION HIGH SCHOOL DISTRICT, et al.; LAW

The judgment is affirmed. (not published)

(Wunderlich, J.; We concur: Elia, Acting P.J., Mihara, J.)

Filed September 8, 1997

Sixth Appellate District

San Jose, California

Monday, September 8, 1997 (continued)

H016186 DIAMOND MULTIMEDIA, INC., et al. v. SUPERIOR COURT OF  
SANTA CLARA; PASS, et al.

By the Court\*:

Petitioners' petition for rehearing is denied.

Dated September 8, 1997 Premo, Acting PJ.

\*Before Premo, Acting P.J., and Wunderlich, J.

H016281 IMP, INC., et al. v. SUPERIOR COURT OF SANTA CLARA  
COUNTY; LEE, et al.

By the Court\*:

Petitioners' petition for rehearing is denied.

Dated September 8, 1997 Premo, Acting P.J.

\*Before Premo, Acting P.J., and Wunderlich, J.

H015357 PEOPLE v. O'GUINN

By the Court\*:

Appellant's petition for rehearing is denied.

Dated September 8, 1997 Elia, Acting P.J.

\*Before Elia, Acting P.J., and Mihara, J.

H016141 OAK TECHNOLOGY, INC., et al. v. SUPERIOR COURT OF SANTA  
CLARA COUNTY; HOCHMAN, et al.

By the Court\*:

Petitioners' petition for rehearing is denied.

Dated September 8, 1997 Premo, Acting P.J.

\*Before Premo, Acting P.J., and Wunderlich, J.

TUESDAY, SEPTEMBER 9, 1997

H016156 ASHURST v. MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT

The judgment is affirmed. (published)

(Cottle, P.J.; We concur: Premo, J., Bamattre-Manoukian, J.)

Filed September 9, 1997

The Court met in its courtroom at 333 West Santa Clara  
Street, Suite 1060, San Jose, California. Present: Wunderlich,  
Acting P.J.; Mihara, J.; and Nancy M. Olea, Deputy Clerk.

Parties have stipulated that Elia, J. will listen to the  
oral argument tapes in lieu of personal appearance.

H016082 IN RE TAYMON J.

Cause called and argued by David Y. Stanley appearing for  
appellant and by Donna B. Chew, Deputy Attorney General,  
appearing for respondent. Cause submitted upon review of the  
oral argument tape by Elia, J.

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San Jose, California

Tuesday, September 9, 1997 (continued)

H015380 PEOPLE v. DENIZE

Cause called and argued by Donn Ginoza appearing for appellant and by Richard Rochman, Deputy Attorney General, appearing for respondent. Cause submitted upon review of the oral argument tape by Elia, J.

Court recesses until 1:30 p.m.

H015499 PEOPLE v. STOKES

The judgment is affirmed. (not published)  
(Elia, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)  
Filed September 9, 1997

H015499 PEOPLE v. VILLEGAS

The judgment is affirmed. (not published)  
(Elia, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)  
Filed September 9, 1997

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Wunderlich, Acting P.J., Mihara, J.; and David T. Clark, Deputy Clerk.

Parties have stipulated that Elia, J. will listen to oral argument tapes in lieu of personal appearance.

H015402 PEOPLE v. GARCIA

Cause called and argued by Alan Yockelson appearing for appellant and by David H. Rose, Deputy Attorney General, appearing for respondent. Cause ordered submitted upon review of the oral argument tape by Elia, J.

H015331 PEOPLE v. SANTOS

Cause called and argued by Richard Doctoroff appearing for appellant and by Violet M. Lee, Deputy Attorney General, appearing for respondent. Cause ordered submitted upon review of the oral argument tape by Elia, J.

H015151 BROTHERS INTERNATIONAL CORP v. CONNOLLY, et al.

Cause called and argued by Malcolm Leader-Picone appearing for appellants and by Harold Wright appearing for appellants and by Andrew Valentine appearing for respondent. Cause ordered submitted upon review of the oral argument tape by Elia, J.

Court is adjourned.

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San Jose, California

WEDNESDAY, SEPTEMBER 10, 1997

H015051 PEOPLE v. SHORTRIDGE

The judgment is affirmed. (not published)  
(Premo, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)  
Filed September 10, 1997

H016533 PEOPLE v. ILES

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed September 10, 1997

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Wunderlich, Acting P.J.; Mihara, J., and Nancy M. Olea, Deputy Clerk.

Parties have stipulated that Elia, J. will listen to the oral argument tapes in lieu of personal appearance.

H014260 PEOPLE v. JAICERIS

Cause called and argued by Glen Durfee appearing for appellant and by Thomas A. Brady, Deputy Attorney General, appearing for respondent. Attorney Durfee granted 5 days to file a letter brief, then the cause is ordered submitted after review of the oral argument tape by Elia, J.

H014610 PEOPLE v. WALLACE

Cause called and argued by Glen Durfee appearing for appellants and by Gregory Ott, Deputy Attorney General, appearing for respondent. Cause ordered submitted upon review of the oral argument tape by Elia, J.

H015159 PEOPLE v. MUSLADIN

Cause called and argued by Eric S. Multhaup appearing for appellant and by Gregory Ott, Deputy Attorney General, appearing for respondent. Cause ordered submitted upon review of the oral argument tape by Elia, J.

H015750 DE LUCCHI v. BROWN

Cause called and argued by Patrick Bowles appearing for appellants and by Diane E. Baylor appearing for respondents. Cause ordered submitted upon review of the oral argument tape by Justice Elia.

Court recesses until the 1:30 p.m. calendar.

H015951 PEOPLE v. MILLER

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)

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Filed September 10, 1997

Sixth Appellate District

San Jose, California

Wednesday, September 10, 1997 (continued)

The Court reconvened at 1:30 p.m in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Wunderlich, Acting P.J., Mihara, J.; and David T. Clark, Deputy Clerk.

Parties have stipulated that Elia, J. will listen to the oral argument tapes in lieu of personal appearance.

H016395 IN RE ANGEL M., A MINOR

Cause called and argued by Catherine Brennan, Deputy Public Defender, appearing for petitioner and by Amy Haddix, Deputy Attorney General, appearing for respondent. Cause ordered submitted upon review of the oral argument tape by Elia, J.

H015178 HEALTH NOW, INC. et al., v. LINUS PAULING INSTITUTE, et al.

Cause called and argued by Kevin R. Mclean appearing for appellants and by Barbara Tanzillo appearing for respondents. Cause ordered submitted upon review of the oral argument tape by Elia, J.

H015282 IPS ENTERPRISES v GALPHINE

H015859 IPS ENTERPRISES v BT REDWOOD

Cause called and argued by George Schisler appearing for appellant and by Tod L. Gamlin appearing for respondents. Cause ordered submitted after Elia, J. listens to oral argument tape. Court adjourned

THURSDAY, SEPTEMBER 11, 1997

H014744 KABIR v. SILICON VALLEY BANK, et al.

The judgment is affirmed. Sanctions are imposed against appellant in the amount of \$10,000 in favor of respondents. (not published)

(Elia, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)  
Filed September 11, 1997

H015902 PEOPLE v. JOHNSON

The judgment is affirmed. (not published)  
(Elia, Acting P.J.; We concur: Wunderlich, J., Mihara, J.)  
Filed September 11, 1997

H015087 PEOPLE v. WALKER

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed September 11, 1997

Sixth Appellate District

San Jose, California

Thursday, September 11, 1997 (continued)

H015409 PEOPLE v. RUBIO

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed September 11, 1997

H015317 PEOPLE v. RAMIREZ

The judgment is affirmed. (not published)  
(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)  
Filed September 11, 1997

H016496 PEOPLE v. RIGHI

The judgment is affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Mihara, J.)  
Filed September 11, 1997

H015633 PEOPLE v. ORTIZ-MENDOZA

The order denying defendant's motion to suppress is  
affirmed. (not published)  
(Bamattre-Manoukian, J.; We concur: Cottle, P.J., Premo, J.)  
Filed September 11, 1997

H015234 People v. Ward, et al.

By the Court\*:

Appellant Ward's petition for rehearing is denied.  
Dated September 11, 1997 Wunderlich, Acting P.J.  
\*Before Elia, Acting P.J., Wunderlich, J., and Mihara, J.

FRIDAY, SEPTEMBER 12, 1997

H015630 PEOPLE v. DARNELL LAMAR SHOALS

The judgment is affirmed. (not published)  
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)  
Filed September 12, 1997

H016439 PEOPLE v. AMARO

The conviction for grand theft auto is reversed. In all  
other respects, including the receiving stolen property  
conviction, the judgment is affirmed. (not published)  
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)  
Filed September 12, 1997

H015754 TURNER v. FIRE INSURANCE EXCHANGE

The judgment is affirmed. The cross-appeal is dismissed.  
Costs on appeal are awarded to Plaintiff. (not published)  
(Mihara, J.; We concur: Elia, Acting P.J., Wunderlich, J.)  
Filed September 12, 1997

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San Jose, California

Friday, September 12, 1997 (continued)

H016221 SWAN MAGNETICS, INC. v. SUPERIOR COURT OF SANTA CLARA  
COUNTY; ANTEK PERIPHERALS, INC., etc., et al.

(Filed order modifying opinion.)

This modification does not affect the judgment. (Published)  
Dated September 12, 1997 Elia, Acting P.J.

H015000 COLLINS v. KNUDSON, et al.; DOWNEY, et al.

By the Court\*:

Appellant Downey's petition for rehearing is denied.

Dated September 12, 1997 Cottle, P.J.

\*Before Cottle, P.J., Premo, J., and Bamattre-Manoukian, J.